

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM-M-40222-2018

Date of Decision:07.12.2018

Ajaypal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Sarbjit Singh, Advocate,
for the petitioner.**

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

**Mr. G.S. Thind, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.192 dated 20.06.2014 under Sections 382, 506 IPC, registered at Police Station Jandiala Guru, District Amritsar (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/agreement and affidavit dated 23.08.2018 (Annexures P-2 & P-3), respectively.

This Court vide order dated 13.09.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

learned Judicial Magistrate 1st Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.10.2018 to the effect that the parties have made an amicable settlement and have recorded their statements in the court without any fear, pressure, threat or coercion and out of their free will.

Respondent No.2-Complainant, namely, Surinderpal Singh, has made a statement with regard to compromise before learned Magistrate on 15.10.2018. The same is reproduced as under:-

“Stated that I have entered into compromise with accused Ajaypal Singh in case FIR No.192 dated 20.06.2014 under Section 382, 506 of IPC registered at Police Station Jandiala Guru, Amritsar. This compromise is without any fear, pressure, threat or coercion and same is out of my free will. I have no objection if the FIR and all consequent proceedings may be quashed against accused Ajaypal Singh .”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.192 dated 20.06.2014 under Sections 382, 506 IPC, registered at Police Station Jandiala Guru, District Amritsar (Rural) (Annexure P-1) and all subsequent proceedings

arising therefrom are hereby quashed qua the petitioner on the basis of compromise/agreement and affidavit dated 23.08.2018 (Annexures P-2 & P-3), respectively.

December 07, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No